

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: June 25, 2007
POSITION: Neutral

BILL NUMBER: SB 1047
AUTHOR: Senate Business, Professions
and Economic Development

BILL SUMMARY: Consumer Affairs: Technical Changes

This bill would (1) create a statute of limitations on Bureau of Automotive Repair (BAR) licensees, (2) extend the sunset date for the Bureau of Electronic and Appliance Repair (BEAR), and (3) extend the timeframe on the collection of delinquent fees by the Bureau of Home Furnishings and Thermal Insulation (BHFTI). It would also make several minor changes to various provisions pertaining to regulatory boards of the Department of Consumer Affairs (DCA).

FISCAL SUMMARY

Depending on the current frequency and location of board meetings, some boards may have increased costs as a result of this bill. DCA indicates that these costs would be minor and absorbable. BHFTI is likely to experience an increase in revenue based on the revised collection period for delinquent fees. The Department of Pesticide Regulation did not have any fiscal concerns with the Structural Pest Control Board consulting with them rather than the Department of Food and Agriculture.

SUMMARY OF CHANGES

Amendments to this bill since our analysis of the March 22, 2007 version do not alter our position. Significant changes include:

- Exclusion of specified occupations from designation as fiduciaries.
- Extension to January 1, 2008 of the operative date for mandatory reporting requirements for licensees of the Board for Professional Engineers and Land Surveyors for specified incidences to January 1, 2008, subject to availability of funds.
- Authorization to investigate complaints and suspend/revoke certificates for engineers-in-training and land surveyors-in-training.
- Clarification of information to be included when compiling the list of land surveyor licensees.
- Requiring the Structural Pest Control Board to consult with the Department of Pesticide Regulation rather than the Department of Food and Agriculture regarding specified matters.

COMMENTS

The intent of this bill is to make various minor changes to allow affected boards and bureaus to more efficiently administer their respective laws. It also makes more substantive, non-controversial changes by creating a statute of limitations on charges against BAR licensees, extending a BEAR sunset date and allowing BHFTI to pursue delinquent payments beyond current time frames.

(Continued)

Analyst/Principal (0242) K. Shelton	Date	Program Budget Manager Todd Jerue	Date
--	------	--------------------------------------	------

Department Deputy Director	Date
----------------------------	------

Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
---------------	-----------------------------

AUTHOR

AMENDMENT DATE

BILL NUMBER

Senate Business, Professions and Economic Development

June 25, 2007

SB 1047

COMMENTS (continued)

Existing law:

- Requires board's to engage in public meetings, subject to the provisions of the Bagley-Keene Open Meetings Act.
- Sunsets the authority to regulate, register and conduct investigations of service contractors by the BEAR on January 1, 2008.
- Allows the BAR to take specified disciplinary actions against its licensees.
- Requires the Structural Pest Control Board to consult with the Department of Food and Agriculture regarding specified matters.

In addition to those outlined in the summary of changes this bill would make the following significant changes:

- Require all boards to meet at least three times per year with at least one meeting each in northern and southern California. This requirement would be subject to exemption for good cause by the director of the DCA. Additionally, the director would be authorized to call for a special board meeting if a board is not fulfilling its duties.
- Extend the sunset date on the BEARs authority to regulate, register and conduct investigations of service contractors to January 1, 2013.
- Establish a statute of limitations for automotive repair dealers by requiring that all accusations be filed within three years of the alleged act or omission and that allegations of fraud must be filed within two years of discovery of the alleged fraud.
- Authorize the BHFTI to collect accrued renewal fees in addition to delinquent and penalty fees from licensees whose licenses have lapsed for more than two renewal cycles and make clarifying language changes regarding the terms “second hand” and “used”.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO RV	PROP 98	FC	2007-2008	FC	2008-2009	FC	2009-2010	Fund Code
1110/ConAfr-ReqBd	SO	No		-----	No/Minor	Fiscal Impact	-----		0494
1111/ConAfr-BurPg	SO	No		-----	No/Minor	Fiscal Impact	-----		0494
1200/Reg Tax&Licn	RV	No		-----	No/Minor	Fiscal Impact	-----		0752
3930/PesticideReg	SO	No		-----	No/Minor	Fiscal Impact	-----		0106
<u>Fund Code</u>	<u>Title</u>								
0106	Pesticide Regulation Fund, Dept of								
0494	Other Unallocated Special Funds								
0752	Home Furnish & Thermal Insulat Fd, Burea								